

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

<b>In Re</b>	<b>BCE WEST, L.P., et al</b>	<b>:</b>	<b>CHAPTER 11</b>
<hr/>		<b>:</b>	<b>CASE NO.: 98-12547</b>
			<b>ECF-CGC</b>
			<b>JOINTLY ADMINISTERED</b>
<b>CAROL ANN FAIRCHILD,</b>		<b>:</b>	<b>AUGUST 30, 1999</b>
<b>Movant</b>			
<b>BC NEW YORK, LLC, et al,</b>			<b>MOTION FOR AN ORDER</b>
<b>Respondent(s)</b>	<b>:</b>		<b>FOR RELIEF FROM THE</b>
			<b>AUTOMATIC STAY</b>

TO: THE HONORABLE CHARLES G. CHASE, J.U.S.B.C.

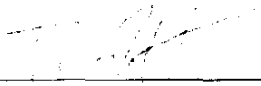
**Carol Ann Fairchild, creditor and movant, moves for an order as follows:**

1. Debtor BC New York, LLC, has filed a petition for relief under Chapter 11 of the U.S. Bankruptcy Code.
2. Movant/creditor Carol Ann Fairchild was injured while a patron at a Boston Market in the Town of Fairfield, County of Fairfield, State of Connecticut, on April 2, 1997. As a result thereof, a complaint was filed in the Superior Court, Fairfield County, at Bridgeport, on July 7, 1998, naming BC New York, LLC.
3. As more fully set forth in correspondence from Thomas P. Cella, Esq., Counsel for BC of New York, LLC, the defendant was insured on April 2, 1997 through the Wausau Insurance Company with policy limits of \$1,000,000 per occurrence with a \$2,000,000 aggregate.
4. In light of the fact that the BC of New York, LLC, defendants were insured by Wausau Insurance Company on the date of the April 2, 1997 incident, movant, Carol Ann Fairchild, respectfully requests that the U.S. Bankruptcy Court enter an order lifting

the automatic stay to the extent of liability coverage provided by the liability insurance company issued to Wausau Insurance Company.

5. Therefore, pursuant to Section 362 of the U.S. Bankruptcy Code, movant prays that this Court enter an order granting relief to movant, Carol Ann Fairchild, and lifting the automatic stay permitting her to proceed with her liability cause of action in the Superior Court, State of Connecticut, County of Fairfield, to the extent of the liability insurance coverage available to defendant/debtors.

Dated:

  
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Timothy M. Pletter  
Attorney for Movant Carol Ann  
Fairchild